

Senate Bill No. 1401

CHAPTER 593

An act to add Section 399.5 to the Military and Veterans Code, relating to health screening.

[Approved by Governor September 30, 2008. Filed with
Secretary of State September 30, 2008.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1401, Simitian. Armed Forces: traumatic brain injury and post-traumatic stress disorder screening.

Existing law provides for certain rights and privileges for active members of the Armed Forces, reservists, and veterans of the Armed Forces, including members of the California National Guard.

This bill would require the Secretary of the California Department of Veterans Affairs, or his or her designees, to assist an eligible member, as defined, or veteran in obtaining an appropriate health screening for traumatic brain injury and post-traumatic stress disorder, as described. A member or veteran would be eligible to receive the assistance when he or she returns to this state after service in specified combat zones. This bill would require the Secretary of the California Department of Veterans Affairs, or his or her designees, to develop a plan for outreach to eligible members and veterans, as described, regarding traumatic brain injury and post-traumatic stress disorder. This bill would also require the Adjutant General, or his or her designee, to develop a plan for outreach to eligible members of the California National Guard, who have returned from combat and remain on duty, regarding traumatic brain injury and post-traumatic stress disorder.

The people of the State of California do enact as follows:

SECTION 1. Section 399.5 is added to the Military and Veterans Code, to read:

399.5. (a) (1) The Secretary of the California Department of Veterans Affairs, or his or her designees, shall assist any eligible member or veteran who returns or has returned to this state in obtaining an appropriate health screening test for traumatic brain injury and post-traumatic stress disorder.

(2) The eligible member or veteran must return or have returned to this state after service.

(b) (1) In order to effectively provide the assistance required by subdivision (a), the Secretary of the California Department of Veterans Affairs, or his or her designees, shall develop and implement a plan for outreach to eligible members and veterans who have returned from combat.

The Adjutant General, or his or her designee, shall also develop and implement a plan for outreach to eligible members of the California National Guard who have returned from combat and remain on duty in order to effectively provide the service required by subdivision (a).

(2) Each outreach plan shall provide information to eligible members and veterans concerning traumatic brain injury and post-traumatic stress disorder, the possible impacts associated with traumatic brain injury and post-traumatic stress disorder, and the right to screening services.

(c) For purposes of this section, both of the following apply:

(1) “Eligible member” means a member who served under Title 10 of the United States Code as designated by Executive Orders Nos. 12744 and 13239 of the President of the United States.

(2) “Member” or “member of the Armed Forces” means a member of the Armed Forces of the United States, including the California National Guard, who is a resident of this state.